

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JAMES A. SMITH and
JEANETTE H. SMITH,**

Plaintiffs

V.

**KANSAS CITY LIFE INSURANCE COMPANY,
et al.**

Defendants

CASE NO: _____

AFFIDAVIT OF ANNE F. WATKINS

STATE OF ALABAMA

COUNTY OF ELMORE

Personally appeared before me, the undersigned notary public in and for the state and county of aforesaid, Anne F. Watkins, who, after being by me first duly sworn, stated an oath as follows:

1. I am an adult resident citizen of Elmore County, Alabama. I am competent to testify and have personal knowledge of the information contained in this Affidavit.
2. In 1991, I was a life insurance agent being trained by Jim McCafferty's agency in Montgomery, Alabama.
3. James A. Smith and Jeanette H. Smith purchased their Preferred Risk Life Insurance policies from Jim McCafferty's agency.
4. I did not meet, speak with or otherwise communicate with Mr. and Mrs. Smith before they bought their policies in 1991 and made no representations or recommendations to them about the life insurance policies that they were purchasing. All pre-sale communications were between Mr. and Mrs. Smith and Jim McCafferty.

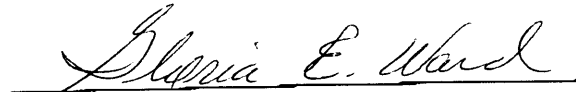
5. Jim McCafferty gave me the credit with Preferred Risk for selling the policies and, as a result, I signed the policy applications as the agent. However, Jim McCafferty was the agent who had all pre-sale communications with Mr. and Mrs. Smith.

6. I consent to the removal of this action to Federal Court.

This the 15 day of December, 2005.


ANNE F. WATKINS

SWORN TO AND SUBSCRIBED before me on this the 15th day of
December, 2005.


NOTARY PUBLIC

My Commission Expires:

12-9-07